

January 30, 2009

Montana Chapter of the National Association of Social Workers (NASW)

NASW Montana Opposes SB 271

This bill provides for licensure and regulation of a new category of therapists, Marriage and Family Therapists. NASW is opposed to this bill for a number of reasons.

- The bill reduces the number of social worker members of the licensure board from three members to two. This change in board composition results in widely disproportionate representation of marriage and family therapists as there are many more licensed social workers than there would be licensed marriage and family therapists. It would place an unfair burden of work on the two social worker board members.

- The proponents have not been adequately demonstrated that the public currently is at risk due to the lack of licensure for marriage and family therapists.

- The bill undermines the high standards that have been established in Montana law over the course of many years for the practice of social work, professional counseling, and psychology. The bill allows for licensure of persons with master's or doctoral degrees, but does not set a standard of semester hours for the degree, as the professions of social work and professional counseling do. This means the degree program could have lower standards than those established in the other counseling professions.

This bill includes a very liberal "grandfather clause" that states "for applications received before July 1, 2011, the applicant is a clinical member of the American association for marriage and family therapy and is a current resident of this state." A grandfathered MFT is required to 1,000 hours clinical work experience as opposed to Social Workers and Licensed Clinical Professional Counselors requirement to verify they received "3000 supervised hours," and exempts them from the examination requirement. This further weakens the standards established in Montana for the practice of counseling and psychotherapy.

- This bill licenses a modality; it is unnecessary. Persons in Montana who seek to practice this type of therapy have avenues available to become licensed and regulated under the present licensure laws regulating licensed clinical professional counselors, licensed social workers, and licensed psychologists. Some of the persons who testified in favor of this bill in prior legislative sessions are already licensed in Montana in one of these other professions. Others would not qualify for licensure under the other professional practice acts.

- The bill also allows for licensure of persons with a "graduate degree in an allied field" to perform this kind of counseling. It is unclear what is meant by "allied field."

- Although the bill allows persons who hold licensure as licensed social workers, licensed clinical professional counselors, or psychologists to do family and marital therapy and counseling, it would present them from using the title of licensed

marriage therapist, licensed marital therapist, or licensed marriage and family therapist. It reserves those titles to persons who hold this new licensure. This appears to be the primary purpose of the bill: to provide a marketing tool for persons who would become licensed as "Marriage and Family Therapists" to market themselves as somehow superior to other licensed counselors who, by their education and training, have credentials to perform this kind of counseling. In this was the legislation misleads the public.

- In Montana we license discrete professions, we do not license subspecialties of a profession. For example, we license attorneys: we do not license subspecialties such as tax attorneys, family law attorneys, or bankruptcy attorneys. We license physicians: we do not license pediatric physicians, orthopedic physicians, or family physicians. If this bill were to pass, next session you may be asked to license counselors who specialize in child counseling or those who specialize in adult counseling. The list could be never-ending.